

**REMARKS**

The Office action of 13 September 2005 (Paper No. 20050901) has been carefully considered.

The specification is being amended to correct minor errors and improve form. Claims 1 and 14 are being amended. Thus, claims 1 thru 16 are pending in the application.

It is first note that, the Examiner has acknowledged the filing and receipt of the certified Korean priority document on page 2 of the Office action, but failed to properly indicate that in the PTO-326 form attached to Paper No. 20050901. It is therefore respectfully requested that the Examiner acknowledge the filing and receipt of all of the certified priority documents in this application in the PTO-326 by checking the box 1 of item 12(a) of the PTO-326 form.

In paragraph 2 of the Office action, the Examiner objected to Figure 7 for a misspelling of the word "protocol". A corrected Figure 7 is being submitted herewith, so that the objection no longer applies, and should be withdrawn. Entry of corrected formal Figure 7 and confirmation of the entry in writing in the next Office action are respectfully requested.

In paragraph 3 of the Office action, the Examiner objected to the specification for informalities. Specifically, the Examiner points out that “IEEE 1395 protocol” set forth on 3, line 7 and on page 9, line 18. In addition, the Examiner requires deletion of “a” from “extracts a channel information” at line 7 on page 11 of the specification. The informalities stated by the Examiner are being eliminated by amendment of the specification. Accordingly, the objection to the specification no longer applies, and should be withdrawn.

In paragraph 4 of the Office action, the Examiner objected to claim 14 for an informality. Specifically, the Examiner requires replacement of a period at line 5 of claim 14 with a semi-column. The informality in claim 14 is being eliminated by amendment of claim 14. Accordingly, the objection to claim 14 no longer applies, and should be withdrawn.

In paragraph 6 of the Office action, the Examiner rejected claims 1 thru 6 under 35 U.S.C. §102 for alleged anticipation by Morrison, U.S. Patent No. 6,359,580. In paragraph 8 of the Office action, the Examiner rejected claims 7 thru 16 under 35 U.S.C. §103 for alleged unpatentability over Morrison ‘580 in view of Van Der Vleuten, U.S. Patent No. 6,460,183. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103 and/or §102.

In paragraph 6 of the Office action, in connection with the rejection of claims 1 thru 6 under 35 U.S.C. §102 based on Morrison '580, the Examiner alleges that Morrison '580 teaches a channel information processor for extracting user input channel information from the control signal from a controller, and for transferring the extracted user input channel information to the tuner (*see* page 4, lines 4-8 of the Office action). In that regard, the Examiner cites the tuner controller 104 of Figure 4 of Morrison '580, as well as column 3, lines 55-57 of the patent.

However, the cited portion of the text of the patent (column 3, lines 55-57) merely states that the tuner controller 104 generates a tuning voltage and bandswitching signals in response to control signals applied from the system control microcomputer 110. Thus, there is no mention whatsoever in Morrison '580 of a channel information processor which extracts user input channel information from a control signal from a controller, and which transfers the extracted user input channel information to a tuner.

In addition, on page 4 of the Office action, the Examiner alleges that Morrison '580 teaches that "a broadcast of the user input channel is displayed without displaying the channel selection page". The Examiner asserts that, in Morrison '580, viewers can change channels in a variety of ways, including channel up and channel down functions on a remote control, and that the system then internally processes the selected channel to determine whether there is more than one source for that entry. According to the

Examiner, if there is not more than one source for the entry, the system immediately tunes the television to the desired channel regardless of the current source (citing column 2, lines 39-58 of Morrison '580).

However, the portion of Morrison '580 cited by the Examiner (column 2, lines 39-58), and in fact the patent in its entirety, do not disclose a system wherein the broadcast of the user input channel is displayed without displaying a channel selection page. In fact, Figure 2 of Morrison '580 is described as a screen display for a given channel in which a cable source is highlighted (*see* column 2, lines 25-27 of Morrison '580). Thus, in effect, Figure 2 is a channel selection page or at least a suggestion of a channel selection page. Thus, Morrison '580 actually teaches away from a system wherein a broadcast of the user input channel is displayed without displaying a channel selection page.

For these reasons, the rejection under 35 U.S.C. §102 based on Morrison '580 is clearly inappropriate because Morrison '580 does not disclose all of the elements and functions recited in independent claim 1. Moreover, a rejection under 35 U.S.C. §103 is also inappropriate since Morrison '580 does not suggest certain elements and/or functions recited in independent claim 1, and in fact Morrison '580 teaches away from one of the functions or characteristics of the invention recited in independent claim 1, that is, the feature wherein a broadcast of the user input channel is displayed without

displaying the channel selection page. As pointed out above, Morrison '580 teaches away from this feature by actually providing a channel selection page in Figure 2 of the patent.

With respect to dependent claims 3 and 5, those claims provide additional features not disclosed or suggested in Morrison '580. Specifically, there is no disclosure or suggestion whatsoever in Morrison '580 of the feature of the invention wherein the program stores the current channel information as a cookie file as recited in dependent claim 3, or the feature wherein the controller is responsive to the user input channel for storing a changed channel selection page as a cookie value as recited in dependent claim 5.

With respect to the rejection of these claims, the Examiner states that "cookie" is being interpreted with its broadest interpretation as a quantity used to indicate or signal to a recipient of data significant changes in the state of an entity supplying data (*see* the first paragraph on page 5 of the Office action). However, the specification of the present application contains a detailed description of the term "cookie" as used in the specification and claims of the present application, and thus, when the term "cookie" is interpreted as disclosed in the specification, one must conclude that Morrison '580 does not disclose or suggest the features recited in dependent claims 3 and 5 involving the storage of current channel information as a cookie file (claim 3) or the use of a controller responsive to the user input channel for storing a changed channel selection page as a

cookie value (claim 5). In the latter regard, for the definition of the term “cookie” as used in the present application, the Examiner is referred to paragraph [0046] of the specification.

Turning to consideration of the rejections under 35 U.S.C. §103 based on the combination of Morrison ‘580 and Van Der Vleuten ‘183, initially, it should be noted that, with respect to the rejection of each of independent claims 7, 9, 12 and 14, the Examiner has admitted that Morrison ‘580 does not disclose or suggest any of the steps recited in independent method claims 7 and 9, and that Morrison ‘580 does not disclose or suggest any of the elements or components of the digital TV recited in independent claims 12 and 14. This raises a serious question as to the propriety and validity of this rejection under 35 U.S.C. §103.

Specifically, if Morrison ‘580 does not disclose or suggest any of the steps of the method recited in claims 7 and 9, and does not disclose or suggest any of the components of the invention recited in claims 12 and 14, it is doubtful that one of ordinary skill in the art, upon reviewing the primary reference (Morrison ‘580), would be motivated or instructed to seek the disclosure of the secondary reference (Van Der Vleuten ‘183), and it is doubtful that one of ordinary skill in the art would be sufficiently motivated or instructed to modify the disclosure of Morrison ‘580 in accordance with the disclosure of Van Der Vleuten ‘183 so as to obtain the present invention. In fact, since the Examiner

has admitted that Morrison '580 does not disclose or suggest any of the steps or components of the claimed invention, the amount of effort involved in modifying the disclosure of Morrison '580, given the disclosure of Van Der Vleuten '183, so as to obtain the present invention involves an amount of effort which rises above the level of mere obviousness. For the latter reasons, it is submitted that the rejection under 35 U.S.C. §103 is highly questionable, and constitutes an invalid rejection.

Turning to consideration of the method recited in independent claim 7 and the digital TV recited in independent claim 12, those claims distinguish the invention from the cited prior art on several bases.

Firstly, contrary to the assertion set forth by the Examiner on pages 7 and 12 of the Office action, Van Der Vleuten '183 does not disclose or suggest the production of a channel selection page. In that regard, the Examiner cites column 5, lines 7-25 of Van Der Vleuten '183, but a review of that portion of the patent does not reveal any disclosure or suggestion of the production of a channel selection page. The most that is disclosed therein is a "history list", but this does not constitute the production of a channel selection page in the context of the present application, including the specification and claims.

Secondly, contrary to the assertions on pages 7 and 12 of the Office action, Van

Der Vleuten '183 does not disclose or suggest the provision of first and second cookies as recited in the claims. In that regard, as discussed above, the Examiner has apparently given the term "cookie" its broadest interpretation, but it is respectfully submitted that the Examiner is stretching the term "cookie" beyond its reasonable interpretation, especially in view of the fact that the specification of the present application contains a specific definition of the term "cookie" as used in the disclosure and claims of the present application.

For the above reasons, it is submitted that the method recited in independent claims 7 and the digital TV recited in independent claim 12 are distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103.

Turning to consideration of the invention recited in independent claims 9 and 14, contrary to the assertions contained on pages 9, 14 and 15 of the Office action, Van Der Vleuten '183 does not disclose or suggest the step or function of extracting channel information from a channel selection page and storing the extracted channel information in the form of a file, as recited in claims 9 and 14. In that regard, as stated above, Van Der Vleuten '183 does not even disclose or suggest the provision of a channel selection page, and thus it is clear that there is no disclosure or suggestion of the extraction of channel information from such a channel selection page.



In the latter regard, on pages 9, 14 and 15 of the Office action, the Examiner also alleges that Van Der Vleuten '183 teaches the production of a channel selection page, again citing column 5, lines 7-25 of the patent. However, as discussed above, a review of that portion of the specification of Van Der Vleuten '183, as well as a review of the patent in its entirety, fails to reveal any disclosure or suggestion of the production of a channel selection page. As stated above, the most that is disclosed is a "history list" which does not constitute a "channel selection page" in the context of the present application.

For the above reasons, it is submitted that the invention recited in independent claims 9 and 14 is distinguishable from the prior art so as to preclude rejection under 35 U.S.C. §103.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. E. Bushnell", is written over a horizontal line.

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